

REMARKS

In the Office Action of May 28, 2004, the Examiner rejected claims 1-14, 16-18, and 22-24 and allowed claims 19-21 and 25-34.

The Examiner first rejected claims 1-14, 16, 22-24 *under 35 USC §103(a) as being unpatentable over Steyr et al.* in view of *Weiss et al.* and *Taylor*.

However, Applicants have amended independent claim 1 to describe the metal cab frame as comprising side members supported on the plastic material of the contoured body and fixed to the contoured body. The metal cab frame extends upward from the top side of the contoured body. The side members extend longitudinally substantially from a rear of the cab frame to a front of said cab frame.

Steyr et al. discloses a cab secured to a profiled floor shell with fasteners. From the figures the cab frame member 7 and the floor are metal. The cab frame member 7 is fastened to a flat edge region 9, adjacent a profiled flange 9. *Steyr et al.* does not disclose side members of a metal cab frame that extend longitudinally from a rear of the cab frame to a front of the frame as per amended claim 1.

Weiss et al. describes an operator station comprising two transversely positioned U-shaped frames 2a, 2b mounted by anti-vibration mountings 22 on the tractor chassis frame members 1. *Weiss et al.* does not disclose the side members nor the metal frame supported on the plastic contoured body, of claim 1.

Taylor describes a vehicle cab floor made as a one-piece plastic molding.

However, there is no description that a cab frame would be carried on top of the plastic cab floor. It is not suggested in this reference to have a metal cab frame supported on a top side of a plastic cab floor.

None of the references alone or in combination teach or suggest the arrangement of base claim 1.

Applicant submits that the rejection has been overcome and requests allowance of these claims.

The Examiner next rejected claims 17, 18 under 35 USC §103(a) as being unpatentable over *Steyr et al.* in view of *Weiss et al.* and *Taylor* and further in view of *Bonnett et al.*

Bonnett et al. also does not disclose the arrangements of independent, base claim 1 that side members of a metal cab frame are supported on a top side of the plastic floor and fender structure. *Bonnett et al.* describes various truck cab constructions which for the most part are all comprised of two piece upper and lower cab halves. A first embodiment sets forth upper and lower halves made of plastic that are then adhesively secured together. A second embodiment describes upper and lower cab halves of sheet metal that are also adhesively secured together. This reference does not disclose a metal cab frame that is supported on a plastic floor and fender structure.

For the reasons set forth above, these references do not suggest the invention of base claim 1. Claims 23–24 should be allowable based on the allowability of claim 1 and for adding further patentable subject matter.

The Examiner next indicated that claims 19-21 and 25-34 are allowed.

Applicants acknowledge this allowance with appreciation.

Applicants have added new dependent claims 35-42 which also describe patentable inventions.

Applicants assert that all claims are now in condition for allowance and request issuance of the application.

Respectfully submitted;

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